APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/039,924	11/09/2001	Glenn Christopher Arnold	13187/4	1796

7590   09/03/2008

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Attention: Patent Administrator
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EXAMINER
BAIG, SAHAR A

ART UNIT	PAPER NUMBER
2623	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/039,924	ARNOLD ET AL.
	Examiner	Art Unit	
	SAHAR A. BAIG	2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS,
WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on _22 May 2008_.

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
   closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) _____ is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) _1-5,9 and 11-30_ is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All   b)☐ Some * c)☐ None of:

   1. ☐ Certified copies of the priority documents have been received.

   2. ☐ Certified copies of the priority documents have been received in Application No. _____.

   3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage
      application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
   Paper No(s)/Mail Date _05/22/2008_.

4) ☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

Applicant argues that neither Berberet nor Gerba discloses that each linked video
file comprises a pixel object file and a separate data object file linked to the pixel
object file, where the pixel object file identifies a video frame and location within
the frame of an object selected by a user, and where the data object file includes
data corresponding to the object selected by the user.

Examiner is relying on Sezan to teach the above limitations. In particular
Sezan discloses in Fig 20 an Object description scheme 482 which comprises a
pixel object file which identifies the frame and location within the frame of a
selected pixel object in said frame. Sezan also discloses a data object file
separate from but linked to said pixel object file, said data object file including
data corresponding to the selected pixel object Fig 20 Block Object Behavior
Description Scheme.

Claim Rejections - 35 USC § 103

1.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for
all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described
> as set forth in section 102 of this title, if the differences between the subject matter sought to
> be patented and the prior art are such that the subject matter as a whole would have been
> obvious at the time the invention was made to a person having ordinary skill in the art to which
> said subject matter pertains. Patentability shall not be negatived by the manner in which the
> invention was made.

2.   Claim1-5, 9, 11-30 rejected under 35 U.S.C. 103(a) as being unpatentable

over Berberet (US 2003/0226150A1) in view of Gerba (5,931,908) in further view

of Sezan et al. (7,178,107).

Considering claim 1 and 22, Berberet discloses a real time interactive

video system comprising:

a server (see 2.3 in Figs. 2 and 2a) for storing a sequence of frames of

video content (by implementing the Store Video function 2.3.1.3 of Fig. 2a-

paragraphs 85, 130 and 131);

a viewer interaction platform (1.3 in Fig. 2 and paragraph 0130) configured

to display said sequence of frames of video content (paragraph 0087 and

0133) and enable a user to select one or more pixel objects (a particular

video frame or parts of a video programs-paragraph 0087, lines 1-10) in

one or more frames of said sequence of frames within an input device

(Remote control 2.7 in figure 2, paragraph 0121, lines 1-6 and paragraph

0128, lines 5-19) and link said pixel objects selected by said user to

alternate resource platforms (paragraph 0087, lines 1-10).

Berberet fails to explicitly disclose separate linked video files and

determining if the location within the frame where the action by the

pointing device occurred corresponds to a location of a pixel object within

the frame. Furthermore, Berberet fails to specifically teach the real time

interaction system wherein said linked video files are exported to the viewer interaction platform.

In an analogous art, Gerba discloses a real time interaction system further including a system for reading linked video files (34 Fig. 2) which link predetermined pixel objects in the video frames with predetermined data objects and determines if the location within the frame where the action by the pointing device occurred corresponds to a location of a pixel object within the frame (column 5 lines 5-51). In addition, Gerba discloses a real time interaction system wherein said linked video files (actionable events) are exported tothe viewer interaction platform (34 Fig. 2 and column 5 lines 15- 20).

It would have been obvious to one of ordinary skill in the art at the time of invention to modify Berberet's system to include determining the location within the frame where the action by the pointing device occurred as well as linked video files that are exported to the viewer interaction platform, as taught by Gerba, for the benefit of linking pixel objects on the display to data corresponding to the additional information about the object including purchasing information and also for the benefit of allowing the user to view and interact with the linked video files.

Still the combined systems of Berberet and Gerba fail to disclose that the linked video file comprises a pixel object file which identifies the frame and location within the frame of a selected pixel object in said frame and at least one subsequent frame, and a data object file separate from but linked to said pixel object file, said data object file including data corresponding to the selected pixel object.

In an analogous art, Sezan discloses a system of providing a usage preferences description scheme where the usage preference description scheme includes at least one of a browsing preferences description scheme, a filtering preferences description scheme, a search preferences description scheme, and a device preferences description scheme. In particular Sezan discloses in Fig 20 an Object description scheme 482 which comprises a pixel object file which identifies the frame and location within the frame of a selected pixel object in said frame [Col. 30 lines 9-19]. Sezan also discloses a data object file separate from but linked to said pixel object file, said data object file including data corresponding to the selected pixel object Fig 20 Block Object Behavior Description Scheme.

Therefore it would have been obvious to one of ordinary skill in the art to combine the teachings of Berberet, Gerba, and Sezan to include this limitation for the convenience of identifying frame objects quickly.

Regarding Claim 2, 4, 5, Gerba discloses a timing device (6, 14 Fig. 1) for

providing timing signals to the server (12 Fig. 1), the timing signal being

synchronized to a real time broadcast of the video content, wherein the

timing signals are time stamps (column 4 lines 56-64, sequential code

column 5 lines 5- 15 and column 6 lines 62-65).

As for claim 3, Berberet discloses the real time interaction system as

recited in claim 1, wherein the video frames are stored sequentially in a

video buffer (2.2, 2.2.1 Fig. 2a and paragraph 0131 lines 7-18).

Regarding claim 9, Berberet discloses the real time interaction system as

recited in claim 1, wherein the viewer interaction platform (1.3 Fig. 2)

includes a local storage device (2.9 Fig. 2) for storing user selected video

frames (paragraph 128).

As for claim 11, Berberet discloses the real t'ime interaction system as

recited in claim 9, wherein the viewer frame interaction application (1.3

Fig. 2) is configured to support one or more local frame advance

navigational buttons (Local VCR, paragraph 128 lines 8-.12, a VCR

inherently supports frame advance navigational buttons).

Dealing with claim 12, Berberet discloses the real time interaction system

as recited in claim 1, wherein the frame interaction application (1.3 Fig. 2) is configured to support a frame advance dialog box which allows unselected frames on the server (2.2 Fig. 2) to be called on a time interval basis (the video buffer allows the user to perform the same functions as if they were using a VCR which shows how this invention is configured to support a frame advance dialog box stated above, paragraph 86).

Regarding claim 13, Sezan discloses the real time interaction system wherein the viewer frame interaction application is configured to support a drop down menu for selecting time intervals (Figure 10. Length Selection).

Considering claim 14, Berberet discloses the real time interaction system as recited in claim 10, wherein the viewer interaction application (1.3 Fig. 2) is configured to support one or more server frame advance navigational buttons for viewing unselected frames in the server (paragraph 123, paragraph 125 lines 1- 7, and [Remote Control] table 1 page 13).

With respect to claim 15, Berberet discloses the real time interaction system as recited in claim 1, wherein the viewer interaction application supports a graphical user interface (paragraph 123 lines 7-11).

Regarding Claims 16-21 and 23-28, **Figure 7** of Sezan shows the variable frequencies of the video frame. It would have been obvious to one of

ordinary skill in the art to vary the selection from 3 frames per second to 12 FPS or to 15 FPS etc.

Regarding Claims 29 and 30, Sezan discloses an audiovisual information managing system capable of sampling frames based on a plural standard playback rate (Fig. 7 - After selecting Frame in the View Selection one is capable of adjusting the Frequency Selection to any standard playback rate desired).

Conclusion

3.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SAHAR A. BAIG whose telephone number is (571)270-3005. The examiner can normally be reached on 4/5/9.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Kelley can be reached on 571-272-7331. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Chris Kelley/
Supervisory Patent Examiner, Art Unit 2623

SB